

# **EXHIBIT 1**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration Under 37 C.F.R. 1.131

Atty. Docket No.  
**VIGN1640-2**

Applicant

**O'Connell, et al**

Application Number

**10/733,742**

Date Filed

**12/11/2003**

Title

**Method and System for Automatic Cache Management**

Group Art Unit

**2186**

Examiner

**Patel, Hetul B.**

Confirmation Number:

**8405**

Certification Under 37 C.F.R. §1.10

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as Express Mail No. **EV964341188US** in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22312-1450 on January 10, 2007.

*Brenda Cross*

Signature

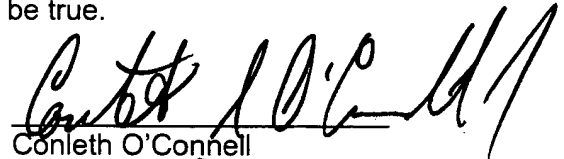
**Brenda Cross**

Printed Name

1. I, Conleth O'Connell, am an original inventor of the invention described and claimed in the above-referenced patent application.
2. The invention claimed in the above-referenced patent application was conceived at least as early as November 20, 2002.
3. I participated in the drafting of the Cache on Delivery/Cache Manager Design Document ("Cache Document"), attached hereto as Exhibit A, on or before November 20, 2002.
4. The Summary attached hereto as Exhibit A demonstrates a conception of the invention described and claimed in the above-referenced patent application at least as early as the date on the Cache Document: November 20, 2002.
5. Due diligence was maintained with respect to the invention described and claimed in the above-referenced patent application from at least November 20, 2002 to the filing on December 13, 2002, of the provisional patent application to which priority is claimed.

6. Declarant acknowledges that willful false statements and the like are punishable by fine or imprisonment, or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issuing thereon.

I, Conleth O'Connell, aver that all statements made of my own knowledge are true and all statements made on information and belief are believed to be true.

  
Conleth O'Connell  
Date: 21 Dec 2006